

**IN THE UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

-----	X	
	:	
In re	:	Chapter 9
	:	
CITY OF DETROIT, MICHIGAN,	:	Case No. 13-53846
	:	
Debtor.	:	Hon. Steven W. Rhodes
-----	X	

**APPELLANT CITY OF DETROIT’S STATEMENT
OF ISSUES AND DESIGNATION OF ITEMS TO
BE INCLUDED IN THE RECORD ON APPEAL**

Pursuant to Rule 8006 of the Federal Rules of Bankruptcy Procedure, appellant, the City of Detroit (“City”), submits this statement of issues and designation of the contents of the record in connection with its Notice of Appeal, filed on January 2, 2014 (Doc. No. 2358), from the Order of Bankruptcy Judge Honorable Steven W. Rhodes entered in this case on December 18, 2013 (Doc. No. 2223).

Statement of Issues

1. Whether the Bankruptcy Court erred by granting Lasalle Town Houses Cooperative Association, Nicolet Town Houses Cooperative Association, Lafayette Town Houses, Inc., Joliet Town Houses Cooperative Association and St. James Cooperative (the “Cooperatives”) relief from the automatic stay to permit them to pursue their claims and those of any potential class members outside of the

claims resolution process in the City's bankruptcy case which applies to almost all other unsecured claims?

2. Whether the Bankruptcy Court erred in concluding that the alternative dispute resolution procedures established in this case are generally not suited to address the claim that the City continues to charge the Cooperatives an impermissible rate?

3. Whether the Bankruptcy Court erred in allowing the Cooperatives to pursue class certification outside of the City's bankruptcy case?

4. Whether the Bankruptcy Court erred in concluding that the alleged claims are regulatory or administrative in nature and therefore should not be subject to the claims resolution process?

Designation of Items

Appellant designates items from the Bankruptcy Court docket to be included in the record on this appeal to the United States District Court for the Eastern District of Michigan, as listed on the Appendix, attached hereto as **Exhibit A**.

Dated: January 16, 2014

Respectfully submitted,

By: /s/Timothy A. Fusco
Jonathan S. Green (P33140)
Stephen S. LaPlante (P48063)
Timothy A. Fusco (P13768)
MILLER, CANFIELD, PADDOCK AND
STONE, P.L.C.
150 West Jefferson
Suite 2500
Detroit, Michigan 48226
Telephone: (313) 963-6420
Facsimile: (313) 496-7500
green@millercanfield.com
laplante@millercanfield.com
fusco@millercanfield.com

David G. Heiman (OH 0038271)
Heather Lennox (OH 0059649)
JONES DAY
North Point
901 Lakeside Avenue
Cleveland, Ohio 44114
Telephone: (216) 586-3939
Facsimile: (216) 579-0212
dgheiman@jonesday.com
hlennox@jonesday.com

Bruce Bennett (CA 105430)
JONES DAY
555 South Flower Street Fiftieth Floor
Los Angeles, California 90071
Telephone: (213) 243-2382
Facsimile: (213) 243-2539
bbennett@jonesday.com

ATTORNEYS FOR THE CITY OF DETROIT

21,857,500.5\022765-00202